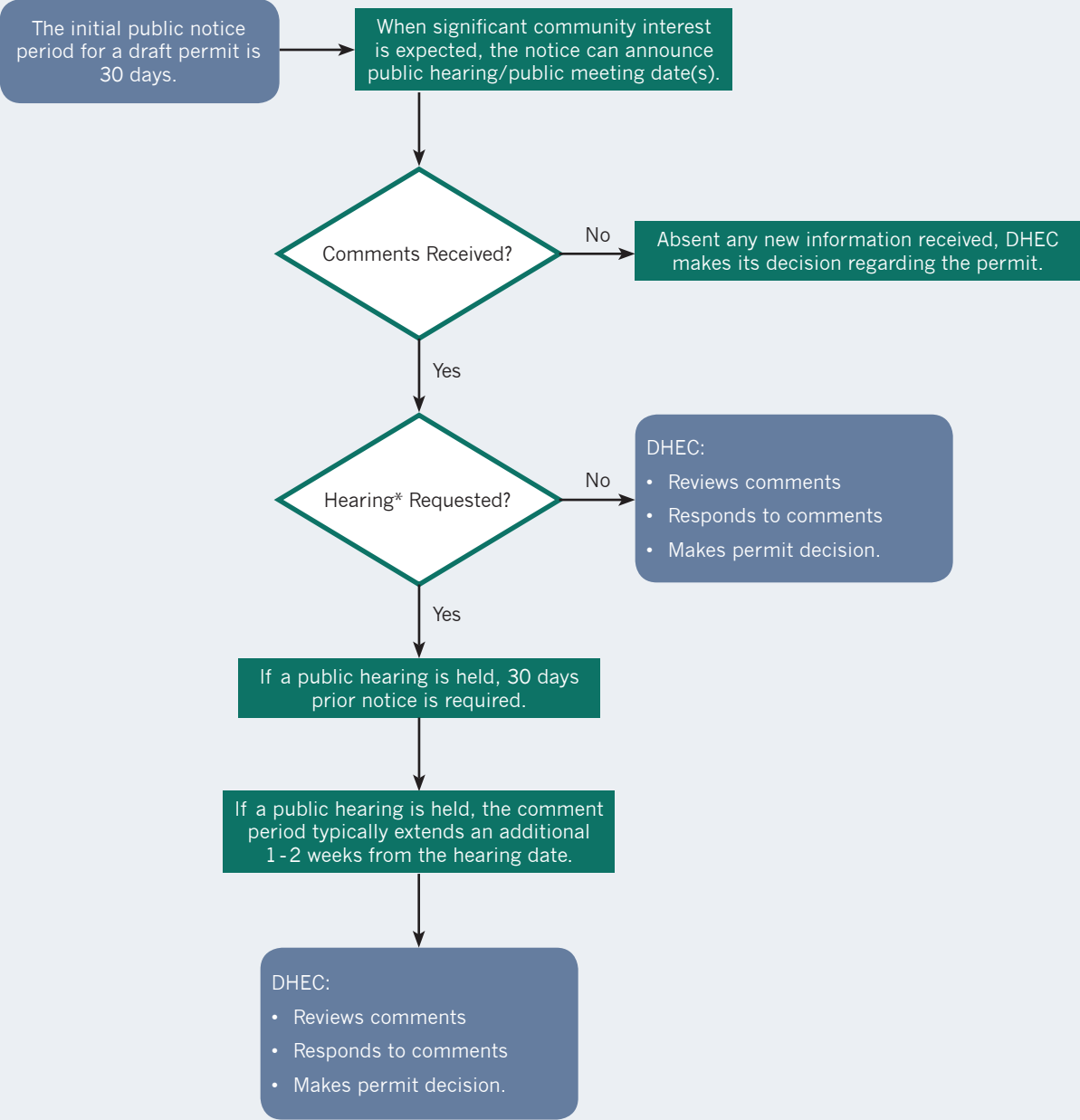


Public Notice Process



*DHEC may choose to have a public meeting instead of (or in addition to) a public hearing. (The timeframe for public meeting notices is more flexible.)

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Simplifying the Air Permitting Process

Public Notices

BUREAU OF AIR QUALITY
Engineering Services Division

Here’s a brief overview of the air permitting public notice process, including:

- Timeframes for public notice comment periods
- Information on which permits are required by law to include public notices.

To avoid expensive and time-consuming delays, stay informed and involved in the public notice process.

What is an air permit?

DHEC’s Bureau of Air Quality (BAQ) issues construction and operating permits. An air permit is a legal document that limits the amount of regulated air pollutants emitted at a facility. Before a permit is issued, it is reviewed and evaluated for compliance with state and federal air quality regulations. Some of those permits require a public notice period prior to issuance.

What is a public notice?

A public notice is an announcement that after evaluation of the application and state and federal air quality regulations, a permit has been drafted and is ready for public review.

The notice is posted on the DHEC website or published in a newspaper of general circulation or in the S.C. State Register. The BAQ may use additional means to notice a draft permit.

Who is responsible for submitting and publishing the public notice?

DHEC’s BAQ staff prepare and distribute public notice packages.

Why is a public notice required for certain permits?

Regulations specify which permits require a public notice.

- Synthetic Minor permits, which are construction permits requiring federally enforceable limits, require a public notice (S.C. Regulation 61-62.1, Section II (N)).
- Major source construction permits require a public notice (S.C. Regulation 61-62.5, Standard 7, and S.C. Regulation 61-62.5, Standard 7.1).
- New and Renewal Title V operating permits require a public notice (S.C. Regulation 61-62.70).
- New Conditional Major operating permits require a public notice (S.C. Regulation 621-62.1, Section II(N)).

What is the cost to publish a public notice?

There is no cost to the applicant.

Who is meant to read the public notice?

- Interested citizens
- Anyone on a mailing list developed by DHEC, including those who requested in writing to be on the list
- Depending on the type of permit and location of the proposed project, the EPA, neighboring state air quality agencies, and Federal Land Managers.

What is a hearing versus a meeting?

Public meetings and public hearings are different in terms of how the public participates and comments on the draft permit. A public *hearing* is a more formal event to legally record public comments (both written and oral). A public *meeting* is a less formal event where the public, BAQ and the facility interact so that questions about the project are answered. The public has the opportunity to comment on the draft permit during the notice period regardless of whether a public hearing or a public meeting is held.

How long will the public notice process take?

Typically, public comment periods are 30 days. The public notice flowchart included in this brochure provides an overview of the public notice process.

Tips to Avoid Delays

Public involvement leads to a smoother permitting process because it encourages continuous discussion, consideration and respect for all stakeholder needs, interests and concerns.

Avoid permitting delays and foster goodwill in the community by becoming familiar with local issues before the air permitting process begins. Residents may have questions about your facility that will not be addressed by the air permit, such as:

- ☒ Will the facility produce odors?
- ☒ Will the facility increase truck traffic?
- ☒ Will the facility create noise?
- ☒ How will the facility benefit my community?

Comments DHEC Can Consider:

- Accusations of technical inaccuracies, such as incomplete/inaccurate emission estimates
- Requests to incorporate additional compliance, monitoring and recordkeeping requirements, and
- Concerns about monitoring and implementation of emissions or control device requirements.

Comments DHEC Cannot Consider:

- Concerns about noise, highway traffic, lighting, local zoning laws, property values
- Indoor air pollution, and
- Statements about sources not regulated by state and federal air regulations.